

Appl. No. 09/955,916
Amendment dated March 17, 2005
Reply to Office Action of January 26, 2005

REMARKS

Claims 23-28 remain in the application. Claims 23 and 25 are amended.

Claims 23-28 face rejection under 35 USC 103(a) based upon two newly cited references – Martindale and Goldman.

Martindale discloses a carrier that straps around part of a human body. An optionally elastic base strap carries a length of hook-and-loop fastener (Velcro) at each end, allowing Velcro on one end to attach to a long strip of Velcro on the other end. The selection of a fastening point on the long strip of Velcro provides adjustable sizing.

Goldman discloses a strip of Velcro that loops to itself to hold a stethoscope. The loop of Velcro can be pinned to a scrub suit.

The amended claims are readily distinguished. For example, the final element of Claim 23 includes the distinguishing language, “a fastening means extending along the entire surface of said elongated flexible strip of elastic material,” and the final element of Claim 25 includes the distinguishing language, “a fastening means extending along the entire surface of said elastic band.” The addition of the underlined words presents no new issues, as each of these claims included prior reference to the elastic quality of the band or strip. The amendment simply restates the elastic quality to better emphasize this distinction from the prior art. These claims are novel and nonobvious for teaching a fastening means that extends along the entire surface of an elastic strip

Martindale and Goldman each use Velcro to fasten to Velcro. Due to its inherent stiff nature, Velcro is not an elastic material.

In contrast, applicant created a wrap in which Velcro can attach anywhere to the surface of an elastic strip or band. As a result, applicant enabled a wrap that fits almost any part of a human body, without the limitation of requiring a non-elastic Velcro strip to establish the fastening zone. Further, the use of elongated Velcro strips defeats the elastic quality (if any) of Martindale. Goldman has no elastic quality.

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Applicant claims the benefit of the extension of time policy set forth in 37 CFR 1.136(a).

In light of the above, the application is in better condition for allowance or appeal.

Respectfully submitted,



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